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Alleged CIA Methods Irk U.S. Judge In Raus Case

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Richmond, May 31 (AP)—A Federal judge today criticized what were described as Central Intelligence Agency procedures in the case of a man who contends he was falsely accused of being a Soviet agent.

Chief Judge Clement F. Haynsworth, Jr., of the Fourth Circuit Court of Appeals said circumstances in the case represented "an extraordinary instance of the exercise of governmental authority."

Upheld In Baltimore

His comments came as the court heard an appeal from Eerik Heine, a Canadian of Estonian background, who has charged Juri Raus, a self-described CIA agent, with slander in describing him as an "instrument of Soviet intelligence."

Mr. Raus's argument that he

should be given the "absolute privilege" afforded governmental employees in the performance of their duties was upheld by Federal District Court in Baltimore.

An attorney for Mr. Heine pictured this as a "Nuremburg defense" of the type used by persons accused of Nazi war crimes in which they maintained they were only following orders.

Mr. Raus had contended he was acting under orders to warn "members of Estonian emigre groups, who were sources of foreign intelligence for the agency" of Heine's alleged status as a Soviet agent.

Judge Haynsworth said this seemed to be a situation in which highly placed officials instructed subordinates to "go out and slander an individual."

He asked why the CIA, if it were vitally interested in national security, did not "leave the defendant to fend for himself."

An attorney for Mr. Raus said this would have left the CIA with the prospect of paying a "money judgment" to a person it believed was an enemy agent.

Mr. Haynsworth said this at least would "give the plaintiff a chance to vindicate himself, which he doesn't have now."

Mr. Raus's lawyer said the case represented a "real dilemma" in that a full trial would allow intelligence secrets to be exposed in the courts.

Mr. Heine's lawyer, however, said his client has a right to a full and complete trial in order to clear himself.

The appellate court routinely Mr. Heine filed a \$110,000 slander suit against Mr. Raus in 1964. He sought \$10,000 in compensatory damages and \$100,000 in punitive damages.